

HOUSE BILL No. 1159

DIGEST OF INTRODUCED BILL

Citations Affected: IC 14-8-2; IC 14-13-9.

Synopsis: Michigan Road heritage corridor. Establishes the Michigan Road heritage corridor commission to promote the conservation and development of the natural, cultural, and recreational resources along the Michigan Road (old U.S. 31) corridor. Establishes the Michigan Road heritage corridor fund.

Effective: July 1, 2001.

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January 9, 2001, read first time and referred to Committee on Rules and Legislative Procedures.

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Introduced

First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

HOUSE BILL No. 1159

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 14-8-2-48 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 48. (a) "Commission",
3 except as provided in subsections (b) through ~~(p)~~; **(q)**, refers to the
4 natural resources commission.
5 (b) "Commission", for purposes of IC 14-13-1, has the meaning set
6 forth in IC 14-13-1-1.
7 (c) "Commission", for purposes of IC 14-13-2, has the meaning set
8 forth in IC 14-13-2-2.
9 (d) "Commission", for purposes of IC 14-13-3, has the meaning set
10 forth in IC 14-13-3-1.
11 (e) "Commission", for purposes of IC 14-13-4, has the meaning set
12 forth in IC 14-13-4-1.
13 (f) "Commission", for purposes of IC 14-13-5, has the meaning set
14 forth in IC 14-13-5-1.
15 (g) "Commission", for purposes of IC 14-13-6, has the meaning set
16 forth in IC 14-13-6-2.
17 (h) **"Commission", for purposes of IC 14-13-9, has the meaning**

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1 **set forth in IC 14-13-9-2.**

2 (i) "Commission", for purposes of IC 14-14-1, has the meaning set
3 forth in IC 14-14-1-3.

4 (j) "Commission", for purposes of IC 14-20-4, has the meaning
5 set forth in IC 14-20-4-1.

6 (k) "Commission", for purposes of IC 14-20-11, has the meaning
7 set forth in IC 14-20-11-1.

8 (l) "Commission", for purposes of IC 14-25-11, has the meaning
9 set forth in IC 14-25-11-1.

10 (m) "Commission", for purposes of IC 14-28-4, has the meaning
11 set forth in IC 14-28-4-1.

12 (n) "Commission", for purposes of IC 14-30-1, has the meaning
13 set forth in IC 14-30-1-2.

14 (o) "Commission", for purposes of IC 14-30-2, has the meaning
15 set forth in IC 14-30-2-2.

16 (p) "Commission", for purposes of IC 14-30-3, has the meaning
17 set forth in IC 14-30-3-2.

18 (q) "Commission", for purposes of IC 14-33-20, has the meaning
19 set forth in IC 14-33-20-2.

20 SECTION 2. IC 14-8-2-59 IS AMENDED TO READ AS
21 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 59. "Corridor" has the
22 following meaning:

23 (1) For purposes of IC 14-13-3, the meaning set forth in
24 IC 14-13-3-2.

25 (2) For purposes of IC 14-13-4, the meaning set forth in
26 IC 14-13-4-2.

27 (3) For purposes of IC 14-13-5, the meaning set forth in
28 IC 14-13-5-2.

29 (4) For purposes of IC 14-13-6, the meaning set forth in
30 IC 14-13-6-3.

31 **(5) For purposes of IC 14-13-9, the meaning set forth in**
32 **IC 14-13-9-3.**

33 SECTION 3. IC 14-8-2-161.5 IS ADDED TO THE INDIANA
34 CODE AS A NEW SECTION TO READ AS FOLLOWS
35 [EFFECTIVE JULY 1, 2001]: **Sec. 161.5. "Michigan Road heritage**
36 **corridor", for purposes of IC 14-13-9, has the meaning set forth in**
37 **IC 14-13-9-4.**

38 SECTION 4. IC 14-13-9 IS ADDED TO THE INDIANA CODE AS
39 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
40 1, 2001]:

41 **Chapter 9. Michigan Road Heritage Corridor Commission**

42 **Sec. 1. This chapter applies only to those counties that contain**



1 a part of the corridor.

2 Sec. 2. As used in this chapter, "commission" refers to the
3 Michigan Road heritage corridor commission established by this
4 chapter.

5 Sec. 3. As used in this chapter, "corridor" refers to the
6 Michigan Road heritage corridor.

7 Sec. 4. As used in this chapter, "Michigan Road heritage
8 corridor" means the strip of land in Indiana abutting the Michigan
9 Road, which is also referred to as the old U.S. 31 highway.

10 Sec. 5. The Michigan Road heritage corridor commission is
11 established.

12 Sec. 6. The members of the commission are the following:

- 13 (1) The director or the director's designee.
- 14 (2) One (1) individual appointed by the county executive of
15 each county that:
 - 16 (A) contains a part of the corridor; and
 - 17 (B) chooses to support the activities of the commission by
18 resolution adopted by the county executive.
- 19 (3) The director of the Indiana department of transportation,
20 or the director's designee, who shall serve as a nonvoting
21 member.
- 22 (4) The director of the division of historic preservation and
23 archeology of the department of natural resources, or the
24 director's designee, who shall serve as a nonvoting member.
- 25 (5) The director of the department of environmental
26 management, or the director's designee, who shall serve as a
27 nonvoting member.
- 28 (6) The director of the office of tourism development of the
29 department of commerce, or the director's designee, who shall
30 serve as a nonvoting member.

31 Sec. 7. Each county that appoints a member to the commission
32 shall do the following:

- 33 (1) Send a copy of the resolution to the director.
- 34 (2) Inform the director of the name of the county's appointee
35 when the appointment is made.

36 Sec. 8. (a) The term of an appointed member of the commission
37 is two (2) years.

38 (b) A member of the commission may be reappointed.

39 Sec. 9. A vacancy on the commission shall be filled for the
40 remainder of the unexpired term in the same manner as an original
41 appointment.

42 Sec. 10. If a member of the commission is unable to attend a

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meeting of the commission, the member may designate an individual to act in the member's place at the meeting.

Sec. 11. The director may designate an individual to act on the director's behalf under this chapter.

Sec. 12. (a) Except as provided in subsection (b), a member of the commission appointed under section 6(2) of this chapter is not entitled to a salary per diem.

(b) While away from the member's home and regular place of business in the performance of services for the commission, a member of the commission appointed under section 6(2) of this chapter is entitled to reimbursement for:

(1) travel expenses, as provided under IC 4-13-1-4; and

(2) other expenses actually incurred in connection with the member's duties;

as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(c) A member of the commission appointed under section 6(2) of this chapter shall be reimbursed for other reasonable expenses that the member incurs in the performance of the member's duties under this chapter.

Sec. 13. The commission shall select a president and vice president. The director shall act as secretary of the commission.

Sec. 14. The commission shall meet:

(1) as the commission determines; or

(2) upon the call of the president or the director.

Sec. 15. (a) The commission shall promote the conservation and development of the natural, cultural, and recreational resources along the corridor by the following:

(1) The exchange of information.

(2) The establishment of common goals.

(3) Cooperative action of the people and governmental units along the corridor.

(b) The commission does not have any power concerning land use control.

Sec. 16. A majority of the members appointed under section 6(2) of this chapter constitutes a quorum.

Sec. 17. The commission may adopt bylaws that the commission considers necessary for carrying out the functions of the commission under this chapter.

Sec. 18. (a) The Michigan Road heritage corridor commission fund is established for the purpose of paying:

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(1) reimbursement of the expenses of members under section 12 of this chapter;

(2) other administrative costs and expenses reasonably incurred under this chapter, including expenses for publications and postage; and

(3) costs incurred in fulfilling the directives of the Michigan Road heritage corridor commission master plan, including multiple county projects and marketing and educational tools such as videotape productions, signs, and promotional literature.

(b) The fund shall be administered by the director under the direction of the commission.

(c) The expenses of administering the fund shall be paid from money in the fund.

(d) The sources of money for the fund are:

(1) appropriations made to the fund; and

(2) any other funds obtained by the commission under section 21 of this chapter.

(e) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested. Interest that accrues from these investments shall be deposited in the fund.

(f) Money in the fund at the end of a fiscal year does not revert to the state general fund.

Sec. 19. The commission may use the fund to pay:

(1) reimbursement of the expenses of members under section 12 of this chapter;

(2) other administrative costs and expenses reasonably incurred under this chapter, including expenses for publications and postage; and

(3) costs incurred in fulfilling the directives of the Michigan Road heritage corridor commission master plan, including multiple county projects and marketing and educational tools such as videotape productions, signs, and promotional literature.

Sec. 20. Upon request from the commission, the director shall provide the commission with reasonable administrative support services to aid in carrying out the purposes of this chapter.

Sec. 21. (a) The commission may do the following:

(1) Hold public hearings.

(2) Request the presence and participation at a commission meeting of representatives of any governmental or private

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entity that has an interest in natural resources, tourism, historic preservation, archeology, or environmental issues.

(3) Enter into contracts, within the limit of available funds, with individuals, organizations, and institutions for services that further the purposes of this chapter.

(4) Enter into contracts, within the limit of available funds, with local and regional nonprofit corporations and associations for cooperative endeavors that further the purposes of this chapter.

(5) Enter with governmental and private entities into cooperative agreements that further the purposes of this chapter.

(6) Receive appropriations of federal funds.

(7) Accept gifts, contributions, and bequests of funds from any source.

(8) Apply for, receive, and disburse funds available from the state or federal government in furtherance of the purposes of this chapter, and enter into any agreements that may be required as a condition of obtaining the funds.

(9) Enter into any agreement and perform any act that is necessary to carry out the duties of the commission and the purposes of this chapter.

(b) The following conditions apply to the handling and disbursement of any funds that the commission receives under subsection (a)(8):

(1) The department shall provide accounting services pertaining to the funds.

(2) The commission may appoint an individual to act as treasurer of the commission for purposes of the handling and disbursement of the funds.

(3) Before the funds may be spent for any purpose, a claim for the expenditure must be approved by the commission at a meeting of the commission.

(4) A claim against the funds may not be paid without the signatures of:

(A) the president of the commission selected under section 13 of this chapter or the treasurer appointed under subdivision (2); and

(B) the director or the director's designee.

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